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IN THE HIGH COURT OF JUDICATURE AT BILASPUR(CHHATTISGARH)

WRIT PETITION NO: 3575/2002

PETITIONER

:

Smt. Sunita Gupta aged 41 Yrs.
W/o. Shri Deepaka Gupta,
R/o. House No. 44, Near Carrico garage,
Amanaka, G.E. Road, Raipur (C.G.)

VERSUS

RESPONDENTS

:

- 1) State of Chhattisgarh, through Secretary to the dept. of home Affairs, D.K.S. Bhawan Secretariat, Raipur (C.G.)
- 2) Superintendent of police, Raipur, Chhattisgarh
- 3) Station House office, P.S. City Kotwali, Raipur (C.G.)
- 4) Inspector General of Police, Raipur, C.G.
- 5) Jagdish Prasad Gupta S/o. Babulal Gupta, aged 67 years.
- 6) Pradeep Kumar Gupta S/o. Jagdish Prasad Gupta, aged 45 Years.
- 7) Sanjay Kumar Gupta S/o. Jagdish Prasad Gupta, aged 42 Years, respondent no. 5 to 7 are R/o. House No. 11/566, Sadar Bazar, Raipur, P.S. City Kotwali, Raipur

P. R. No. 3362/03
Presented by Shri S.C. Verma
dated 31/10/03

Received
31/10/03

BID
BID

WRIT PETITION UNDER ARTICLE 226 & 227 OF THE
CONSTITUTION OF INDIA FOR GRANT OF WRIT IN NATURE
OF MANDAMUS OR CERCIORARI OR ANY OTHER WRITS OR
DIRECTIONS OR ANY OTHER REMADY OF THE LIKE NATAURE

आदेश पत्रक

मामला क्रमांक

wp 3525/03 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<u>11.2.2004</u> Petitioner by Shri S. C. Verma, Advocate. Respondents No. 1 to 4 by Miss Sharmila Singhai, Deputy Govt. Advocate. The petitioner has preferred this petition under Article 226/227 of the Constitution of India being aggrieved by the inaction on the part of the respondents No. 1 to 4 with the averments that the petitioner is daughter in law of Respondent No.5 and sister-in-law of Respondents No. 6 and 7. She was carrying on the business of jewellery in her husband's shop since last 7 years which is situated in the house No. 11/566, Sadar Bazar, Raipur. On 14.4.2003 she was illegally dispossessed when her shop was closed for Navratri Parva from 10.4.2003 to 13.4.2003, as the respondent No. 5 to 7 broke open the shop and took away whole jewellery value of which was about 3 Lacs. When on 14.4.2003 on opening the shop she knew about the incident, she immediately rushed to the police but they had not taken any action. Therefore, respondents No. 1 to 4 may be directed to initiate action against Respondents No. 5 to 7 and they be directed to restore the shop of the petitioner and suitable writ of mandamus or any other writ in favour of the petitioner be issued to do the justice. I have heard learned counsel for the petitioner as well as learned counsel for respondents 1 to 4. This petition relates to criminal activities committed by respondents 5 to 7 on 14-4-2003 and for this purpose when the petitioner's report was not	

आदेश पत्रक

मामला क्रमांक 3575/03 सन 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
Thakur	accepted by respondents 2 to 4 she could have approached the concerned Court and filed a complaint under Section 200 of the Cr.P.C. and could have requested for enquiry by the learned Magistrate or could have requested the Magistrate to send the complaint to the concerned police station under Section 156(3) of the Cr.P.C. for investigation. Instead of doing so, the petitioner has directly approached this Court. Therefore, the petitioner has equally efficacious alternative remedy available under the criminal law to approach the criminal Court for redressal of her grievance. However, she is allowed 10 days' time from today to make a representation to respondent No.2 raising all her grievances and on receipt of such representation respondent No.2 will take necessary action in accordance with law. With the above observation, this petition is disposed of finally. Certified copy as per Rules.	Sd/- L.C. Bhadoo Judge